

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BEKZAD DZHANPOLATOV,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICES (USCIS),

Defendant.

Case No. [25-cv-03314-RS](#)**ORDER DENYING MOTION TO  
ALTER JUDGMENT**

Plaintiff filed this action on April 14, 2025, contending defendants had unreasonably delayed action on his “Form I-485 (Application to Adjust Status)” submitted on April 2, 2025. Following various motions and amended pleadings, the case was dismissed on grounds that plaintiff had “alleged no facts sufficient to support judicial intervention in the administrative process.” The dismissal order also observed the primary relief plaintiff sought—scheduling of an interview—had already been granted by the government. The dismissal was without prejudice to “any right plaintiff may have in the future to challenge the timeliness of the government’s action on his I-485 application.”

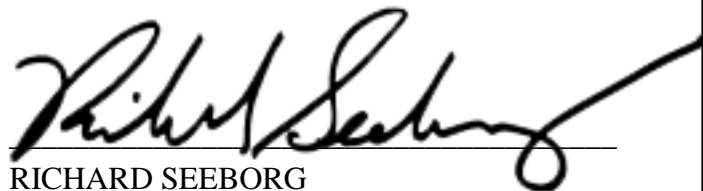
Plaintiff now moves under Rule 59 of the Federal Rules of Civil Procedure to “alter or amend the judgment.” Plaintiff contends there are “new, urgent humanitarian circumstances that have arisen since the Court’s prior ruling.” Specifically, plaintiff states his elderly parents, who reside abroad, are suffering a severe and sudden decline in health, and that he cannot go visit them without jeopardizing an asylum application he submitted in 2021. Plaintiff asserts he had an

1 interview on his asylum application in June of this year, but that no decision has issued.

2 Plaintiff's motion is denied. Apart from the fact that plaintiff has made no evidentiary  
3 showing in support of his arguments, he has still presented no basis for court intervention in the  
4 administrative process. His asylum application was not the subject of this action, and his  
5 allegations would not clearly establish unreasonable delay in that process in any event. There also  
6 are still no grounds for judicial review of the timeliness of agency action as to his Form I-485  
7 application.

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9 **IT IS SO ORDERED.**

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11 Dated: September 12, 2025

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14 RICHARD SEEBORG  
15 Chief United States District Judge  
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United States District Court  
Northern District of California